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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ALEXIS ISABELL ADAMS,)
)
Defendant.)
)

No. CR 12-0538-02 YGR

**STIPULATION AND ~~PROPOSED~~
ORDER TO VACATE TRIAL DATE
AND PRETRIAL FILING**

Trial is set to begin in this matter on May 3, 2013. The pretrial conference is set for April 19, 2013, and the parties' pretrial filings are due on April 12, 2013. However, as of today, the parties have reached an agreement in principle to refer the defendant to pretrial diversion, allowing for this matter to be resolved short of trial. In order for the defendant to be accepted into the pretrial diversion program, the government must submit an application letter along with discovery in the case to Pretrial Services. Pretrial Services will then evaluate the defendant for acceptance into the program, a process that takes at least 60 days. The government will submit the necessary paperwork to Pretrial Services no later than next week. Accordingly, with the agreement of counsel for both parties and the defendant, the Court now find and holds as follows:

ORDER VACATING TRIAL
CR 12-0538-02 YGR

1 1. The trial, pretrial conference, and pretrial filing deadlines are VACATED. The
2 case is continued to Thursday, June 20, 2013, at 2:00 p.m., for a status hearing.

3 2. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C.
4 § 3161, from April 9, 2013, to June 20, 2013. Failure to grant the requested continuance would
5 unreasonably deny counsel reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence and the need for counsel to complete the application
7 process for the pretrial diversion program.

8 3. Given these circumstances, the Court finds that the ends of justice served by
9 excluding the period from April 9, 2013, to June 20, 2013, outweigh the best interest of the
10 public and the defendant in a speedy trial and filing of an indictment or information. 18 U.S.C.
11 § 3161(h)(7)(A). In addition, time is excluded while the defendant demonstrates her good
12 conduct to the government. 18 U.S.C. § 3161(h)(2)

13 4. Accordingly, and with the consent of the defendant, the Court orders that the period
14 from April 9, 2013, to June 20, 2013, be excluded from Speedy Trial Act calculations under 18
15 U.S.C. §§ 3161(h)(2) and (7)(A) & (B)(iv).

16 IT IS SO STIPULATED.

17
18 DATED: April 9, 2013


/s/
ELLEN LEONIDA
Counsel for Alexis Isabell Adams

19
20
21 DATED: April 9, 2013

/s/
BRIAN C. LEWIS
Assistant United States Attorney

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23
24 IT IS SO ORDERED.

25
26 DATED: April 9, 2013



YVONNE GONZALEZ ROGERS
United States District Judge

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ORDER VACATING TRIAL
CR 12-0538-02 YGR